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Maine Boating Guide and Laws, 1966

Maine Department of Inland Fisheries and Game

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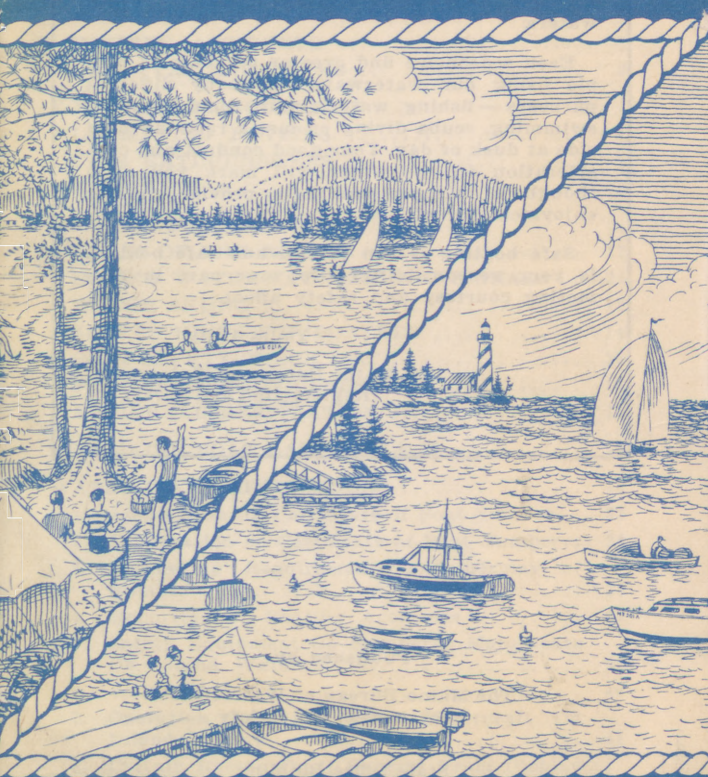
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Maine MB Boating GUIDE AND LAWS



**BUREAU of WATERCRAFT
REGISTRATION AND
SAFETY**
Augusta Maine



Dear Maine Boater

In the interest of promoting greater enjoyment and safety on the waters of this State, the Maine Boat Law establishes basic safety standards of equipment and boat operation requirements.

While the law sets certain standards, nothing can take the place of COMMON SENSE in using your boat or COURTESY to your fellow boatmen and other people who use Maine's bountiful waters.

Each season we find greater numbers of people using our waterways for many different purposes — fishing, water skiing, racing, sailing, swimming, scuba diving or just a relaxing boat ride at dusk or day. Your good conduct and consideration on the water will mark you as a thoughtful skipper and help provide greater enjoyment for all.

Safe boating is fun for all and safe boating is your responsibility. Do your part in promoting courtesy and safety afloat.

Yours truly,

Maine Bureau of Watercraft
Registration and Safety

Published by

The Maine Bureau of Watercraft
Registration and Safety

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Augusta, Maine

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GENERAL INFORMATION

NUMBERING REQUIREMENTS

The Maine Boat Law, which is federally approved, requires that the owner of any undocumented motorboat propelled by machinery of more than 10 horsepower, or a motorboat for rent or hire propelled by machinery regardless of horsepower, shall obtain a certificate of numbers for the motorboat and display the assigned numbers on both sides of the bow of the craft before operating or giving permission to operate the boat on any of the waters of this state.

Boat owners who have their boats currently registered by another state having a federally approved boat law, or by the U. S. Coast Guard, are permitted to operate on Maine waters for a period of 90 consecutive days before being required to license their boats in Maine. Presently, the states of New Hampshire, Washington, Alaska and Hawaii do not qualify for this reciprocity feature, unless the boat is numbered by the Coast Guard in those states. A Maine registered boat similarly has a 90 day reciprocity period in any other state with a federally approved law or a water area under licensing jurisdiction of the Coast Guard.

Boats registered by the State of New Hampshire may operate on the following interstate waters only without registering their craft in Maine; Salmon Falls River, Horn Pond, Milton Three Ponds, Great East Pond, Balch Pond, Province Lake, Lower Kimball Pond and Lake Umbagog. Maine registered boats may operate on these waters only without obtaining a New Hampshire License.

CERTIFICATE OF BOAT NUMBERS

The certificate of number must be on board the motorboat at all times while the boat is being operated. It is a card (not plastic) which can be cut to wallet size and contains essential boat description, assigned boat number, owner identification and an expiration date of license. All certificates are originally issued for a 3 year licensing period from the date of issuance.

APPLYING FOR A MAINE CERTIFICATE OF BOAT NUMBER

Since January 1, 1964, the Bureau of Watercraft Registration and Safety is responsible for the registration of boats as required by law and it now issues a single license good on any of the waters of the State.

Formerly boat licenses were issued by the Fish and Game Department for inland waters and also by the U. S. Coast Guard for boats on our coastal waters.

The new law recognizes any of these licenses provided they have a valid expiration date.

Application forms to secure a registration are available from fish and game wardens, coastal wardens, marinas, U. S. Coast Guard stations and city and town clerks and the office of the Bureau of Watercraft Registration and Safety in Augusta, Maine. A completed application with proper fee is sent to the Bureau office in Augusta. Complete instructions are on reverse side of application.

Upon receipt of a proper application, a validated temporary certificate of boat number is returned at once to the applicant, on which is stamped his permanently assigned boat number. This will permit him to apply the proper numbers on his boat hull also and have a certificate of number aboard so he can operate his craft in accordance with the law. In the meantime the Bureau will then prepare a permanent certificate of numbers for the boat owner and mail it to him.

Registration fees are: pleasure, rental and commercial passenger craft, \$5.00; dealer or manufacturer, \$10.00; commercial fishing, \$3.00; duplicate certificate, \$1.00; and transfer of ownership \$1.00 (applicable to original boat owner registrant and for balance of unexpired period of original boat license).

Approximately 30-40 days prior to the expiration of any Maine certificate of boat number and as a courtesy to registered boat owners the Bureau will mail a renewal application. This should be verified and returned with appropriate fee, whereupon the Bureau will reissue another certificate for a new 3 year period to the owner. Failure to receive a renewal application does not, in any way, relieve the owner from his obligation to maintain his boat registration in a current status. A regular application may also be used to renew your registration. Check your expiration date printed on your certificate to make sure it is correct.

SALE OR TRANSFER OF BOAT

Upon the sale or transfer of ownership of a numbered boat the owner should return his certificate of boat number or send a written statement to the Bureau indicating to whom and when he sold the boat. The reverse side of the certificate of boat number may be used for this purpose. This releases his ownership and the Bureau is then able to award a new certificate of boat numbers to the new owner of his former boat.

The boat numbers remain with the boat, are not transferable, and the same number will be reissued to the new applicant who purchases a boat already numbered. The new owner who registers a numbered

boat pays a full registration fee, whereas the previous owner pays \$1.00 to license a new or replacement boat for the remainder of time left on his original certificate of boat number.

Be sure and report the sale or transfer of your boat at once to the Bureau's office so as not to delay the issuance of a license to the new owner.

NOTIFICATION OF CHANGES REQUIRED

When a registered motorboat is sold, transferred, permanently removed from Maine, destroyed or abandoned, or owner changes his address, the owner shall notify the Bureau within 10 days, returning the certificate of boat number properly filled out on the reverse side. The certificate is no longer valid.

If a certificate is lost or destroyed, a duplicate can be secured for \$1.00 upon application on the standard form. Kindly list the assigned boat number when corresponding with the Bureau about any registration matters.

RENTAL MOTORBOATS

Unless a specific rental, lease or other charge is made for a motorboat that normally goes with a camp, cottage or other real estate so rented or leased, and said motorboat is propelled by machinery of *10 horsepower or less*, whether or not said machinery was leased or hired with the motorboat, the owner thereof shall not be required to register said motorboat as a motorboat for hire. If said motorboat is propelled by machinery of *over 10 horsepower*, it must then be registered and numbered regardless of use.

PASSENGER MOTORBOATS

Operators of outboard powered motorboats who charge a specific fee and carry passengers for hire on inland waters must also secure an operator's license from the Bureau, unless he holds a current U. S. Coast Guard operator's license. Applications for the license can be secured from the Bureau office or any inland fish and game warden. License is good for a calendar year and costs \$1.00.

Persons using inboard powered motorboats on inland waters for this purpose should register with the Maine Public Utilities Commission.

A person carrying passengers for hire on the coastal waters must obtain his license from the U. S. Coast Guard (Marine Inspection Office, Portland, Maine).

Safety equipment requirements are more rigid for this type of operation. An approved life preserver (not buoyant vests, buoyant cushions or ring buoys) must be available for each person aboard and an addi-

tional number of life preservers suitable for children equal to at least 10% of the total number of persons carried unless the service is such that children are never carried. Approved fire extinguishers must also be aboard.

GUIDES

Any motorboat, used exclusively for guiding purposes by a valid licensed guide for guiding hunters, fishermen or campers on the inland waters of Maine, does not need to be registered as a "boat for hire" or as carrying passengers for hire. The guide's license shall substitute for a boat operator's license. If such a motorboat is propelled by machinery of *over* 10 horsepower, then it must be registered and display numbers in accordance with the Maine Boat Law.

PROPER DISPLAY OF BOAT NUMBER

Your assigned boat number must be painted or permanently attached to both sides of the bow (forward half) of the boat. The numbers and letters must be at least 3 inches high, plain block character capital letters and arabic numerals and of a color which contrasts with the hull so as to provide maximum visibility. Be sure your number appears on your boat in the same order as on your registration card.

The prefix ME and the suffix letter should be separated from the numerals by a space or a hyphen and read from left to right on each side of the boat. No other number shall be carried or displayed on the bow and it is further required that the boat number be maintained in a legible condition at all times. On boats with a flared bow, the number should be placed toward the rear of the bow so they become nearly vertical with the water surface.

Correct Examples

ME 136 A ME-142-C ME 6430 E

Incorrect Examples

B603ME WO16ME *Me 643y*

DEALERS AND MANUFACTURERS

Boat Dealers are issued a special boat number with the suffix "D". They are the only people permitted to transfer the boat number from boat to boat in their possession for demonstration or testing purposes only. Proper safety equipment and certificate of boat number must also be on board.

Only persons who have a permanent place of business in Maine are eligible for the dealer's license. A

regular boat number application form is used to obtain the license and any duplicate certificates. Fee is \$10.00 for three years plus \$1.00 for each additional copy.

BOATING ACCIDENTS

The operator of any boat, registered or not, if involved in an accident on Maine waters is required to:

1. Stop and render aid and assistance.
2. Give name, address, boat number to any person injured or owner of property damaged.
3. Report accident, involving injury, disappearance or death to any person, or damage to property of \$50 or more, by quickest means, to nearest game warden, coastal warden, State Police or sheriff.
4. File a written report of accident within 48 hours to Bureau of Watercraft Registration. Forms for reporting accidents may be obtained from enforcement officers or Bureau.

REGATTAS & RACES

Persons desiring to hold boat regattas, parades, water ski exhibitions or tournaments and motorboat races on inland waters should write the Bureau at least 2 weeks in advance of such events to secure a permit to conduct these activities.

If such activities are held on the coastal waters permission must be secured from the U. S. Coast Guard, 1400 Customhouse, Boston, Massachusetts.

YOUR SAFETY EQUIPMENT

All motorboats on coastal waters and all registered motorboats on Maine's inland waters are required to carry certain items of approved safety equipment and lights depending on the length of the boat.

Whether you require this equipment or not, it is strongly urged that all boat users carry lifesaving devices, fire extinguishers and lights on their craft as a common sense precaution. It is good insurance to help avoid accidents and save lives in event of need.

The tables on pages 10 and 11 list the types and kinds of safety equipment you should have aboard. Read Regulation No. 5 which spells out in detail your requirement needs based on the length of your craft.

LIFE SAVING DEVICES

Keep your life saving devices readily accessible at all times and in good condition, do not abuse or mis-

treat them, and be sure they have a label indicating they have been made under U. S. Coast Guard approved standards.

Non-swimmers and children should wear their safety devices and all boaters should do so when circumstances cause any doubt of safety. Always check those intended for children for proper size, fit and actual performance in the water. All kapok filled devices must have the flotation material sealed in plastic film pad covers.

These devices are designed to save lives—use them with care and respect and check them frequently for condition and serviceability.

FIRE EXTINGUISHERS

Approved fire extinguishers must also be aboard unless your boat is of open construction and outboard powered. Inboard powered craft are required to carry them.

Outboard motorboats of 26 feet in length or less and of open construction are not required to carry an approved fire extinguisher. If there are closed compartments in the boat where gasoline vapors may accumulate and be entrapped such as under thwarts and seats where portable fuel tanks are stored, closed living spaces, closed storage compartments in which combustible or flammable material are stowed, double bottoms not sealed to the hull or not completely filled with flotation material and permanently installed fuel tanks, then fire extinguishers must be carried.

When such closed compartments or other fuel tank and engine spaces are present, they should be properly ventilated with exhaust and intake cowls and ducts and an approved fire extinguisher be available on board.

LIGHTS

Non-registered boats on Maine's inland waters require, at least, a single white light while in operation from sunset to sunrise. All other craft should display the lights required as shown on table on page 11 and in Regulation No. 5.

GUIDE TO MOTORBOAT SAFETY EQUIPMENT REQUIREMENTS IN MAINE **

Class	Life Preservers	Fire Extinguishers*		Ventilators	Flame Arrestors	Horn or Whistle	Bell
A Less than 16 feet	One Coast Guard approved life preserver, buoyant vest, ring buoy or buoyant cushion in good and serviceable condition, in a readily accessible location, for each person on board.	Without fixed system	With fixed system	Two or more ventilators with cowls and ducts capable of removing gases from bilges and compartments decked after 4/25/40. Not required if majority of bilges and fuel tanks are exposed at all times. REQUIRED ONLY ON GASOLINE ENGINES	Flame arrestors required after 4/25/40 on carburetors of all engines except outboards. Installations prior to 11/19/52 need not meet detailed requirements so long as they are in good condition. REQUIRED ONLY ON GASOLINE ENGINES	None	None
1 16 feet to less than 26 feet		1 B-1	None			Hand, mouth or power; 2 seconds, 1/2 mile	None
2 26 feet to less than 40 feet		2 B-1 or 1 B-11	1 B-1			Hand or power; 2 seconds, 1 mile	Required. To produce clear note.
3 40 feet to less than 65 feet	One CG approved life preserver or ring buoy for each person on board.	3 B-1 or 1 B-11 and 2 B-1	2 B-1 or 1 B-11			Power; 2 seconds, 1 mile	Required. To produce clear note.

Fire Extinguisher Classification

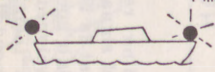
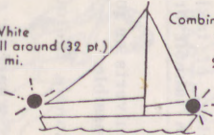
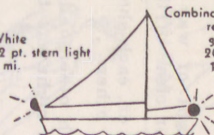
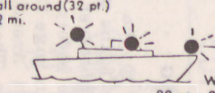
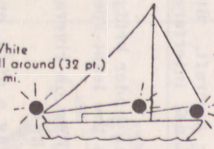
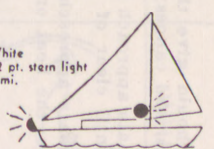
Type	Foam (min. gal.)	Carbon Dioxide (min. pounds)	Dry Chemical (min. pounds)
B-1	1 1/4	4	2
B-11	2 1/2	15	10

* Outboard Motorboats of less than 26 feet in length, and not carrying passengers for hire, are not required to carry fire extinguishers if construction will not entrap explosive vapor. See Regulation No. 5.

** ON MAINE INLAND WATERS: Only numbered Motorboats in operation need comply with these requirements.

ON COASTAL WATERS: All motorboats should comply.

GUIDE TO LIGHTS REQUIRED ON WATERCRAFT UNDERWAY BETWEEN SUNSET AND SUNRISE IN MAINE

		INBOARDS, OUTBOARDS, OR AUXILIARIES		
		POWER ALONE	SAIL & POWER	SAIL ALONE
ALL MAINE WATERS * (See Exception Below)	Under 26'	<p>White all around (32 pt.) 2 mi.</p>  <p>Combination red & green 20 pt. 1 mi.</p>	<p>White all around (32 pt.) 2 mi.</p>  <p>Combination red & green 20 pt. 1 mi.</p>	<p>White 12 pt. stern light 2 mi.</p>  <p>Combination red & green 20 pt. 1 mi.</p>
	26' or over not more than 65'	<p>White all around (32 pt.) 2 mi.</p>  <p>Separate sidelights 10 pt. 1 mi.</p> <p>White 20 pt. 2 mi.</p>	<p>White all around (32 pt.) 2 mi.</p>  <p>White 20 pt. 2 mi.</p> <p>Separate sidelights 10 pt. 1 mi.</p>	<p>White 12 pt. stern light 2 mi.</p>  <p>Separate sidelights 10 pt. 1 mi.</p>

* ON MAINE INLAND WATERS: Only numbered Motorboats need comply with these lighting requirements. All other watercraft not requiring numbering must display a single illuminated white light, capable of showing all around the horizon, so as to make its presence known to all other watercraft in every direction which are within a reasonable distance. Nothing shall prohibit the display of lights required by federal law in lieu of single white light.

* ON COASTAL WATERS: All motorboats should comply. In addition rowing boats whether under oars or sail, shall have ready at hand a lantern showing a white light which shall be temporarily exhibited in time to prevent collision. Boats at anchor must display anchor light except those of not more than 65 feet in length in a "special anchorage area."

SAFETY SUGGESTIONS

RULES OF THE ROAD

By observing these traffic rules when operating your boat, you can help eliminate collisions and accidents.

Motorboats should give the right of way to sailboats, rowboats, and canoes; steer clear of them.

When two boats approach head on, each should turn to the right until clear of each other.

When two boats approach each other obliquely or at right angles, the boat on the right has the right of way.

A boat may pass another boat on either side if it can be done safely and with good clearance ahead, but the boat being overtaken has the right of way.

Be alert for aircraft. Stay clear of taxiing seaplanes and do not interfere with takeoff or landing planes.

While passing under bridges, culverts or in anchorages, travel at the least speed possible.

When travelling on rivers, channels, thoroughfares, keep to the right.

A boat leaving a dock, or pier, wharf or shore has the right of way over boats approaching the same.

Watch the "road". Be alert for submerged rocks, logs, snags.

WATER SKIING

In addition to the water skiing requirements of Regulation No. 6, the use of hand signals between the skier and the observer in the boat is highly desirable to enhance the safety of this high speed sport. The hand signals on page 13 were developed by the American Water Ski Association and their use will help avoid accidents. They are recommended by the Bureau of Watercraft Registration and Safety for use on Maine waters. Great care should be exercised in picking up a fallen skier—be sure and stop your motor in approaching and taking a skier aboard—A small boarding ladder is very helpful here.

WATER SKIING SIGNALS



TURN



WHIP OFF



FASTER



SLOWER



STOP



CUT MOTOR



SPEED OK



BACK TO DOCK



FALLEN-SKIER OK



WATCH OUT-PICK ME UP

SAFETY HINTS

So that YOU will be a better and safer boater, the following safety suggestions are offered. Practice them constantly!

1. Don't overload your boat. Keep adequate free-board at all times.

2. Keep an alert lookout! Watch for other boats, swimmers, and fixed or floating obstructions.

3. Watch your wake! It might capsize another boat or do serious damage to other boats or property along the shore.

4. Be especially careful when operating in any area where swimmers might be.

5. Keep lifesaving and fire fighting equipment in good condition and available at all times. The first few seconds are usually the most important.

6. For their safety and your peace of mind, have children wear life preservers.

7. If you capsize, stay with your boat! You are more easily located by searchers. Attempts to swim ashore are too often unsuccessful.

8. Consider what action you would take under various emergency conditions like fire, fog, motor breakdown, bad storm, person overboard, or a bad leak.

9. Always instruct another person in the rudiments of handling your boat in case you are disabled.

10. Water skiing is a great sport—but only when you are well clear of other boats, bathers, or obstructions. There should be two people in the boat to maintain proper lookout.

11. Do not sit on or compress kapok-filled life preservers.

12. Watch your footing! Falls are the greatest cause of injury ashore and afloat.

13. Observe the Rules of the Road.

14. In case of heavy winds or choppy water, stay low in your boat.

15. Remain seated as much as possible. Standing up is dangerous. If you must change seats, keep low and move as smoothly as possible. Do all your fishing while sitting in the boat.

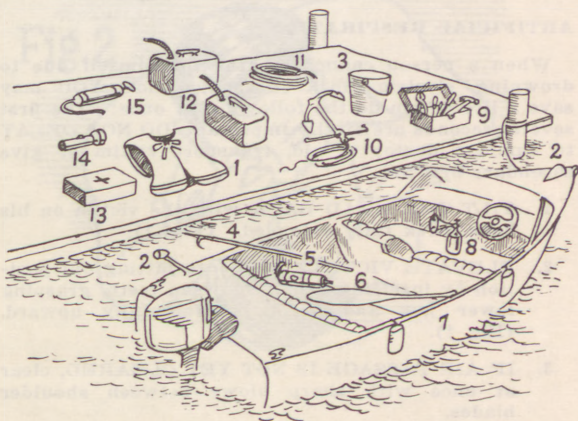
16. Learn to read weather signs. Storms and high winds on lakes are often violent.

17. In wind and waves, reduce your speed and "quarter" into the waves or the wake of another boat.

18. Make sure your lights are in working order.
19. Don't mix alcohol and boating. Poor co-ordination while handling a boat can be disastrous.
20. Have a good anchor and line.
21. Know your boat and its limitations. Do not overpower it.
22. Take a course in small boat handling from the Red Cross, U. S. Coast Guard Auxiliary or the U. S. Power Squadrons.
23. Above all—slow down when you are near shore, other boaters, dangerous areas, or swimmers.
24. Make sure you have your certificate of registration on your boat at all times while under operation.
25. Read the Maine Boat Law and become familiar with its provisions.

BOAT SAFETY CHECK LIST

- | | |
|---|----------------------------|
| 1. Approved life-saving device for each person. | 7. Fenders. |
| 2. Proper lights (not required if boat is not operated after sunset). | 8. Horn or whistle. |
| 3. Bailing bucket. | 9. Tool kit. |
| 4. Boat hook. | 10. Anchor. |
| 5. Fire extinguisher. | 11. Line. |
| 6. Paddle or oars. | 12. Gasoline cans (spare). |
| | 13. First-aid kit. |
| | 14. Flashlight. |
| | 15. Bilge pump. |



VICTIM'S NOSE by pinching it between thumb and finger. (Fig. 2).

5. BLOW AIR into the victim's lungs until you see the chest rise (less forcefully for children); remove your mouth and let him exhale. If chest does not rise, check steps above.
6. Repeat step No. 5 approximately 12 times a minute until victim revives. (20 times a minute for children).



Fig.1



Fig.2



FREE BOATING COURSES

The U. S. Power Squadrons, the U. S. Coast Guard Auxiliary and the American Red Cross offer excellent free instruction courses, in proper and safe boat handling, basic seamanship and general waterfront safety. These are usually held during winter and spring months and are offered in many Maine communities. Boat owners may also obtain a complete safety check of their boat by Coast Guard Auxiliary personnel. This is given free of charge when requested by the boat owners. If passed they will obtain a **COURTESY MOTORBOAT EXAMINATION DECAL** which is honored by state and federal boat enforcement personnel.

The Bureau urges all the boating public to improve their boating knowledge and participate in these excellent programs. For further details concerning time and place of these free-boating courses write:

1. U. S. Power Squadrons
27 Town Landing Road
Falmouth Foreside, Maine
2. U. S. Coast Guard, Director of Auxiliary
1400 Custom House
Boston, Massachusetts
3. American Red Cross
97 State Street
Portland, Maine
4. Pine Tree State Boat Owners Council
186 Lisbon Street, Room 5
Lewiston, Maine

ARTIFICIAL RESPIRATION

When a person cannot breathe for himself due to drowning, electric shock or asphyxiation, **YOU** may save a life if you do the following at once: The first several seconds are vitally important. **DO NOT DELAY** to summon doctor or aid, transport victim or give secondary first aid.

1. **TILT THE HEAD BACK** with the victim on his back, neck fully extended. (Fig. 1).
2. **ELEVATE VICTIM'S JAW** into jutting out position by inserting thumb between teeth, grasping lower jaw and lifting it forcefully upward. (Fig. 1).
3. **IF AIR PASSAGE IS NOT YET CLEARED**, clear at once with sharp blows between shoulder blades.
4. **OPEN YOUR MOUTH WIDE** and cover victim's mouth completely by placing your mouth over his with **AIRTIGHT CONTACT**, also **CLOSING**

THE MAINE BOAT LAW
REVISED STATUTES OF 1964

TITLE 38
WATERS AND NAVIGATION

CHAPTER 1
OPERATION OF VESSELS

SUBCHAPTER VI
WATERCRAFT REGISTRATION AND SAFETY

ARTICLE 1. GENERAL PROVISIONS

Sec.

- 201. Definitions.
- 202. Local regulation prohibited.
- 203. Disposition of fines and fees; Watercraft Fund.
- 204. Certificate of bureau head admissible in evidence.
- 205. Enforcement.
- 206. Penalties.

ARTICLE 2. CONDITIONS AND RESTRICTIONS

Sec.

- 231. Bureau of Watercraft Registration and Safety.
- 232. Regulations; force of law; penalties.
- 233. Certificate numbers required; display.
- 234. Application and issuance; fees.
- 235. Notice of destruction, abandonment, removal, transfer of ownership, change of address.
- 236. Motorboats for hire.
- 237. Operation of boats.
- 238. Operation on inland waters.
- 239. Accidents.
- 240. Restrictions on power boats; Portage Lake, Penamaquan River and Quimby Pond.
- 241. —Jerry Pond.

ARTICLE 1. GENERAL PROVISIONS

§ 201. Definitions

Each word or term defined in this section has the meaning indicated in this section for the purposes of this subchapter, unless a different meaning is plainly required by the context.

1. Bow. "Bow" means the forward half of the watercraft.

2. Bureau. "Bureau" means the Bureau of Watercraft Registration and Safety established in section 231.

3. Bureau heads. "Bureau heads" means the Commissioner of Inland Fisheries and Game and the Commissioner of Sea and Shore Fisheries acting in their capacity as heads of the Bureau of Watercraft Registration and Safety.

4. Bureau personnel. "Bureau personnel" means all persons employed by the Bureau of Watercraft Registration and Safety other than the bureau heads.

5. Coastal waters. "Coastal waters" means all waters of the State within the rise and fall of the tide and the marine limits of the jurisdiction of the State, but it does not include waters within or above any fishway or dam when that fishway or dam is normally the dividing line between tidewater and fresh water, nor does it include waters above any tidal bound that has been legally established in streams flowing into the sea.

6. Inland waters. "Inland waters" means all the rivers, streams, ponds, lakes and all other bodies of water wholly or partially within the jurisdiction of the State of Maine, except coastal waters as defined in this section.

7. Motorboat. "Motorboat" means any watercraft propelled by machinery, whether or not such machinery is the principal source of propulsion, and whether or not such machinery is permanently or temporarily attached to the watercraft.

8. Motorboat for hire. "Motorboat for hire" means any watercraft which while hired is propelled by machinery, regardless of horsepower, whether or not that machinery is the principal source of propulsion, and whether or not that machinery was leased or hired with the watercraft. It includes any watercraft propelled by motor which carries passengers for hire.

9. Operate. The verb "to operate" in all its moods and tenses when it refers to watercraft of any type of description means to use that watercraft in any manner on the waters specified whether or not the watercraft is under way.

10. Operation. The noun "operation" when it refers to watercraft of any type of description means the act of operating as defined in subsection 9.

11. Owner. "Owner" means a person, other than a lien holder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.

12. Person. "Person" includes an individual, firm, association or other entity.

13. Undocumented motorboat. An "undocumented motorboat" means an undocumented vessel, any vessel or watercraft which is not required by federal law to have and does not have a valid marine document issued by the Federal Bureau of Customs.

14. Watercraft. "Watercraft" means any type of vessel, boat or craft used or capable of being used as a means of transportation on water other than a seaplane.

15. Waters of this State. "Waters of this State" means all inland waters and all coastal waters within the jurisdiction of the State of Maine.

16. Water safety zone. "Water safety zone" means the area of water within 200 feet of any shoreline, whether the shoreline of the mainland or of an island.

1963, c. 354, § 1.

§ 202. Local regulation prohibited

No municipality or political subdivision of this State may adopt any ordinance, law or regulation dealing with the operation or numbering of watercraft or any other subject matter of this subchapter.

1. Bureau regulations excepted. Nothing in this section is to be construed to prohibit the adoption of regulations by the bureau heads as authorized in section 231.

1963, c. 354, § 1.

§ 203. Disposition of fines and fees; Watercraft Fund

All fines and fees collected under this subchapter are disposed of as follows:

1. Fees collected. All fees collected for certificates, licenses and permits by the bureau are paid daily to the Treasurer of State and accrue to the Watercraft Fund provided in this section.

2. Fines and costs collected. Each county shall pay all fines, forfeitures and penalties collected for violations of this subchapter and all officers' costs collected for either coastal wardens or inland fisheries and game wardens to the Treasurer of State monthly and all of them accrue to the Watercraft Fund provided in this section.

3. Watercraft Fund established. All the revenue acquired under this section constitutes a separate fund to be known as the "Watercraft Fund." The fund does not lapse and the proceeds are to be used for the following purposes:

A. To pay the bureau personnel and all office and administrative costs of the bureau;

B. Each fiscal year any amount in the Watercraft Fund, which in the discretion of the 2 bureau heads is not needed for the bureau personnel, office and administrative expenses, is to be paid over to the Department of Inland Fisheries and Game and the Department of Sea and Shore Fisheries in proportion to all revenues paid into the Watercraft Fund under this subchapter from inland waters and coastal waters respectively during the fiscal year last completed. The amounts thus paid the departments are to help defray the costs of the enforcement of this subchapter.

1963, c. 354, § 1.

§ 204. Certificate of bureau head admissible in evidence

A certificate signed by either bureau head, stating what the records of the bureau show on any given matter are admissible in evidence in all courts of this State to prove what the records of the bureau are on that matter.

1. Certificate prima facie evidence person not the holder of a certificate of number, license or permit.

A certificate signed by either of the bureau heads, stating that the records of the bureau do not show that a particular person on a stated date held a certificate of number, a license or permit issued under this subchapter, as the case may be, is admissible in evidence in all courts of this State and is prima facie evidence that the particular person named in the certificate did not hold a certificate of number, license or permit as specified in the certificate on the date specified in the certificate.

2. Certificate prima facie evidence of certificate, license and permit revocation.

A certificate signed by either bureau head stating that the records of the bureau show that a particular person's certificate, license or permit issued under this subchapter was under revocation or suspension on a particular stated date is admissible in evidence in all courts of this State and is prima facie evidence that the particular certificate, license or permit stated, on the date stated, of the particular person stated was under suspension or revocation.

3. Regulations not proved by this section.

This section does not apply to the proof of bureau regulations. Proof of them by certificate is provided in section 232.

1963, c. 354, § 1.

§ 205. Enforcement

Inland fish and game wardens, coastal wardens, state police officers and all other law enforcement officers of this State have authority to enforce this

subchapter and to arrest persons who violate it. Such officers, when in uniform, may stop any watercraft for the purpose of inspecting said craft, its equipment, and its documents or certificates and may board all watercraft where necessary to enforce this subchapter or to make arrests.

1965, c. 431, § 22.

§ 206. Penalties

Whoever violates any provisions of this subchapter or any regulation adopted under authority of this subchapter shall be guilty of a misdemeanor and, if no specific penalty is provided for the particular offense, shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment for not more than 90 days, or by both.

1963, c. 354, § 1.

ARTICLE 2. CONDITIONS AND RESTRICTIONS

§ 231. Bureau of Watercraft Registration and Safety

The following provisions apply to the Bureau of Watercraft Registration and Safety:

1. Purposes of bureau. The bureau is established to provide an agency to register watercraft as provided in this subchapter and to promote safety for persons and property in connection with the use and operation of watercraft.

2. Bureau heads. The Commissioner of Inland Fisheries and Game and the Commissioner of Sea and Shore Fisheries head the bureau.

3. Bureau composition. The bureau consists of such clerical and administrative personnel as the 2 commissioners find necessary to adequately perform the administrative duties of this subchapter and both commissioners shall supply the personnel from their respective departments. All bureau personnel are paid from the Watercraft Fund provided in section 203.

4. Bureau may adopt regulations. The bureau heads, acting jointly, may adopt and amend regulations under the procedure provided in section 232 which are not inconsistent with this subchapter covering the following subject matter:

A. Regulations to further establish administrative procedure under this subchapter,

B. Regulations further governing the use and operation of watercraft upon the waters of the State to insure safety of persons and property, and

C. Regulations further governing safety equipment for watercraft, including the type, quality and quantity of such equipment.

1963, c. 354, § 1.

§ 232. Regulations; force of law; penalties

The following provisions apply to the regulations authorized in section 231.

1. Adoption procedure. When the 2 heads of the bureau, acting jointly, decide it is necessary or desirable to adopt or amend any of the regulations authorized in section 231, they shall use the following procedure:

A. They shall set a time and place for a public hearing and publish notice of the hearing in the State paper at least once 7 days prior to the hearing.

B. The notice shall state the time and place of the hearing and the substance of the proposed regulations or amendments.

C. After the bureau heads have held the public hearing, or caused the same to be held, they may adopt any or all of the regulations or amendments proposed in the notice of hearing.

D. The bureau heads shall cause a copy of the adopted regulations, certified by either of the bureau heads, to be filed with the Secretary of State and one with the clerk of courts of each county where the regulation or amendment is to be in force, and shall publish one copy so certified in the State paper.

E. The regulations or amendments are in effect and have the force of law on the day following publication.

2. Regulations have force of law, penalties. The regulations authorized in section 231 have the force of law, and whoever violates any provision of them shall be punished by the penalties provided in section 206.

3. Proof of regulation by certificate. A certified copy of any one of the regulations authorized in section 231 is admissible in all courts to prove the regulation, subject to the provisions of this subsection, and is prima facie evidence that the regulation was adopted in accordance with this subchapter.

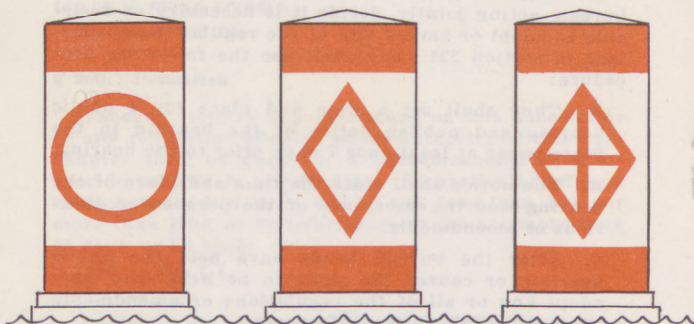
A. The certified copy must be certified by either of the 2 bureau heads and must be accompanied by the signed statement of either bureau head that it was in force and effect on the date of the alleged violation.

1963, c. 354, § 1.

§ 233. Certificate numbers required; display

The following provisions apply to every undocumented motorboat on the waters of the State which is propelled by machinery of more than 10 horsepower, whether or not such machinery is the principal source of power, and all motorboats for hire as defined in section 201, except those motorboats specifically exempted under subsection 3.

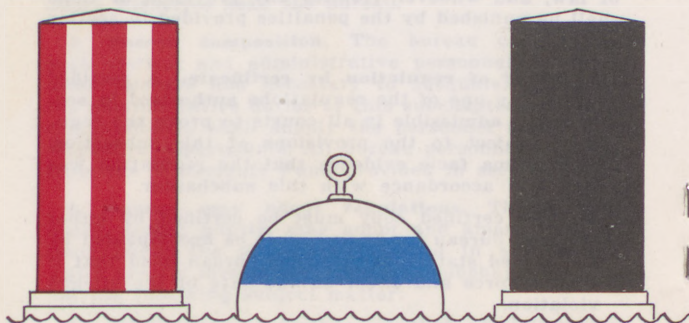
MAINE WATERWAY



CONTROLLED
AREA

DANGER

BOATS
KEEP OUT



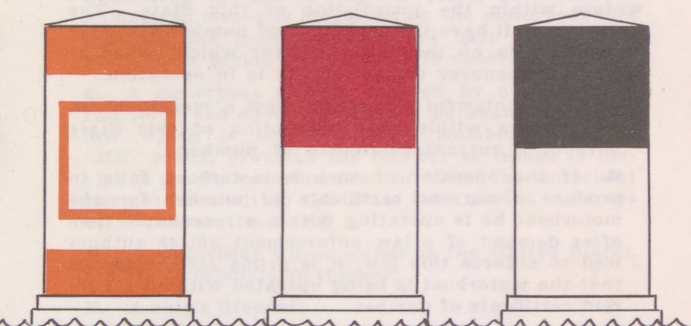
DO NOT PASS BETWEEN
SHORE AND BUOY

ANCHOR
BUOY

NAVIGATE TO STARBOARD
FACING UPSTREAM

*CONTACT MAINE STATE PARK AND RECREATION
FOR FULL DETAILS ON*

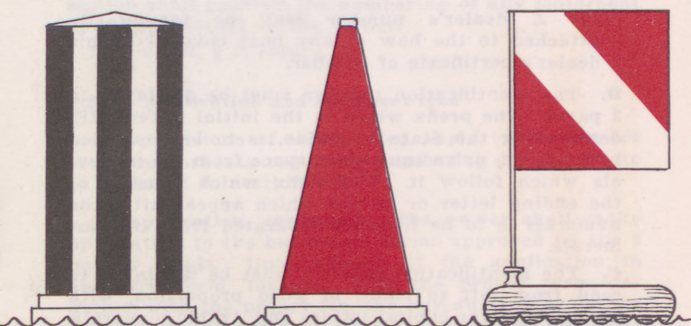
MARKING SYSTEM



INFORMATION

NAVIGATE TO
SOUTH OR WEST

NAVIGATE TO
NORTH OR EAST



MID-
CHANNEL

NAVIGATE TO PORT
FACING UPSTREAM

DIVER
BELOW

REGISTRATION COMMISSION, AUGUSTA, MAINE
BUOYS AND PERMITS

1. Owner must obtain certificate of number; certificate to be available on boat. The owner of any such boat shall obtain a certificate of number for the motorboat from the bureau before operating or giving permission to operate the motorboat on any of the waters within the jurisdiction of this State. The operator shall have the certificate of number available for inspection on the motorboat for which issued at all times whenever the motorboat is in operation.

A. It is unlawful to operate such a motorboat on any waters within the jurisdiction of this State without a current certificate of number.

B. If the operator of such a motorboat fails to produce a current certificate of number for the motorboat he is operating within a reasonable time after demand of a law enforcement officer authorized to enforce this law, it is prima facie evidence that the motorboat is being operated without a current certificate of number.

2. To display identification number. It is unlawful to operate or give permission to operate such a motorboat on any waters within the jurisdiction of this State unless the identification number assigned by the bureau and authorized by this subchapter is displayed on each side of the bow of the boat in the following manner:

A. The numbers must be painted or permanently attached to the hull and be of a color which is in contrast to the color of the background so as to provide the highest degree of visibility, i.e., dark numbers on a light background or vice versa, and be plainly visible.

(1) A dealer's number may be temporarily attached to the bow of any boat covered by his dealer's certificate of number.

B. The identification number must be displayed in 3 parts. The prefix which is the initial letters ME, designating the State of Maine, is to be separated by a hyphen or an equivalent space from the numerals which follow it. The suffix which consists of the ending letter or letters which appear after the numerals is to be likewise separated from the numerals.

C. The identification number must be displayed to read from left to right, of good proportion, with block character capital letters and Arabic numerals, all of which must not be less than 3 inches in height and maintained in a legible condition at all times.

D. No number other than the assigned boat number shall be displayed on the bow of such a motorboat.

3. Motorboats exempt from numbering provisions. The following motorboats are exempt from this section:

A. A motorboat already covered by a "Maine" number having a "ME" prefix which is in full force and

effect issued to it pursuant to federal law; provided the number is displayed on the motorboat;

B. A motorboat already covered by a current certificate of number issued under a federally approved numbering system of another state, provided the number so issued is displayed on the motorboat and provided the motorboat has not been within this State for a period in excess of 90 consecutive days;

C. A motorboat already covered by a number in full force and effect issued to it pursuant to federal law which is not a "Maine" number having a "ME" prefix, provided the number so issued is displayed on the motorboat and provided the motorboat has not been within this State for a period in excess of 90 consecutive days;

D. A motorboat whose owner is the United States, a state or subdivision thereof;

E. A ship's lifeboat;

F. Motorboats from countries other than the United States of America which are temporarily using the waters of this State;

G. A motorboat belonging to a class of boats which have been exempted from numbering by regulation of the bureau heads after they have determined that the numbering of such motorboats will not materially aid in their identification, provided such motorboats would also be exempt from numbering under federal law if they were subject to federal law.

4. Numbering at request of owner. Nothing in this section shall prohibit the numbering of any motorboat upon the request of the owner.

1963, c. 354, § 1; 1965, c. 14.

§ 234. Application and issuance; fees

The provisions of this section apply to the owners of all motorboats requiring numbering by this State as provided in section 233.

1. Application, certificate. The owner shall make application to the bureau on forms approved by the 2 bureau heads. Upon receipt of the application in approved form, together with the proper fee, together with the proper fee, the bureau shall enter the same upon the office records and issue the applicant a certificate of number stating the number assigned to the motorboat, its description, the name and address of the owner and such other information as the bureau heads deem appropriate. The certificate of number must be pocket size and available at all times for inspection on the motorboat for which issued when it is in operation.

2. Fees. The fees for the certificate of number are as follows:

- A. Motorboats used primarily for commercial fishing on coastal waters \$ 3
- B. Dealer's or manufacturer's certificates of number as authorized in subsection 8. \$10
- C. Any duplicate certificate of number. \$ 1
- D. Certificate of number issued with transfer of ownership authorized in subsection 4. \$ 1
- E. All other certificates of number. \$ 5

3. Numbers permanent. A number once awarded under this subchapter to a motorboat remains with that boat until the boat is destroyed, abandoned or permanently removed from this State.

4. Transfer of ownership. Whoever transfers ownership or discontinues the use of a motorboat for which a certificate of number has already been issued under this subchapter and applies for a certificate of number for another motorboat is entitled to a new certificate of number upon payment of a transfer fee of \$1 as set forth in subsection 2, paragraph D, provided the applicant returns to the bureau the old certificate of number properly signed and executed, showing that ownership of the motorboat has been transferred or its use discontinued.

5. New ownership. If there is a change of ownership of a motorboat for which a certificate of number has previously been issued under this subchapter, the new owner shall apply for a new certificate of number and set forth the original boat number in his application. He shall pay the regular fee for the particular motorboat involved and is not entitled to the special transfer fee set forth in subsection 4.

6. Duplicate certificate. The holder of any certificate of number issued under this subchapter may obtain a duplicate from the bureau upon application and payment of the fee set forth in subsection 2.

7. Expiration date, renewal. Every certificate of number awarded under this subchapter continues in force for 3 years following its issuance. The owner may renew his certificate of number at expiration by stating the old number in his application and paying the prescribed fee. The fee is the same fee he would pay for the original issuance.

8. Dealer's and manufacturer's certificate of number. Any manufacturer or dealer of new or used motorboats who has a permanent place of business in this State for the manufacture or sale of motorboats may, instead of obtaining a certificate of number for each motorboat owned by him, make application on forms provided by the bureau for a dealer's certificate of number.

- A. If the applicant pays the fee provided in subsection 2 for a dealer's certificate of number, and

satisfies the bureau that he is otherwise qualified for a dealer's certificate of number, the bureau shall issue the same to him.

B. The dealer's certificate of number must contain the place of residence and the place of business of the applicant and a general distinguishing number in such form as determined by the 2 bureau heads.

C. The dealer or manufacturer shall display the number issued under his dealer's certificate of number on the motorboat being demonstrated or tested and may transfer that number from one motorboat owned by him to another motorboat owned by him by temporarily attaching the number to the motorboat as provided in section 233, subsection 2, paragraph A, subparagraph (1).

D. The dealer may obtain duplicates of his dealer's certificate of number upon application and payment of \$1 for each duplicate in order that he may readily comply with section 233, subsection 1.

9. Public records. All records made by the bureau pursuant to this section are public records.

1963, c. 354, § 1.

§ 235. Notice of destruction, abandonment, removal, transfer of ownership, change of address

The owner of any motorboat which has been issued a certificate of number shall notify the bureau in writing of the transfer of all or any part of his interest, other than the creation of a security interest, in the motorboat covered by the certificate, of its permanent removal from the State, or of its destruction or abandonment. He shall notify the bureau of any change in his address. The owner shall give the notice within 10 days after the happening of the applicable event.

1. Termination. The transfer, permanent removal from the State, abandonment or destruction, terminates the certificate of number, except the transfer of a partial interest which does not affect the original owner's right to operate the motorboat does not terminate the certificate of number.

1963, c. 354, § 1.

§ 236. Motorboats for hire

The following provisions apply to all motorboats for hire as defined in section 201, except those subject to federal inspection requirements which have or are required to have a current valid federal inspection certificate on board. This section shall not apply to motorboats for hire which have satisfactorily passed an annual examination by the United States Coast Guard Auxiliary.

1. Certificate required. The owner shall apply to and obtain from the bureau a certificate authorizing

its use for that purpose before renting the motorboat or carrying passengers for hire or offering to do either.

A. Before the certificate may be issued, the owner must satisfy the bureau that the boat is safe to operate and will be maintained in safe condition.

B. The bureau may cause such boats to be examined from time to time. If it is found upon examination that any motorboat for hire so certified is unsafe, the bureau heads shall immediately suspend the certificate covering the particular motorboat under the procedure set forth in subsection 3.

2. Operator's license. Every operator of a motorboat, except those operators who have been issued and have or are required to have in their possession a current valid federal operator's license, regardless of horsepower, which carries passengers for hire on the inland waters of this State, must obtain a license from the bureau as provided in this subsection before operating a motorboat carrying passengers for hire.

A. The operator shall make written application for the license on forms provided by the bureau and enclose a fee of \$1 with his application.

B. The 2 bureau heads shall cause operators applying for a license for the first time to be examined as to their qualifications and shall issue the license only after the applicant has satisfactorily passed the examination.

C. The bureau may grant a renewal of license upon written application and payment of the \$1 fee without examination.

D. Every license expires on December 31st of the year for which issued.

E. The bureau heads shall immediately suspend an operator's license upon satisfactory evidence of intemperance, incompetency or willful violation of law under the procedure in subsection 3.

3. Suspension and revocation of certificates and licenses. The bureau heads shall suspend and revoke the certificate and license authorized by this section under the following procedure:

A. They shall give written notice to the holder of the certificate or license containing the following:

(1) A statement that his certificate or license is temporarily suspended immediately upon receipt of the notice until hearing;

(2) The reasons for the suspension;

(3) The date, time and place of the hearing.

B. Only one of the bureau heads need be present at the hearing. If the holder fails to appear in person or by attorney, or does appear but fails to show cause why his license or certificate should not be permanently revoked to the satisfaction of the bureau head conducting the hearing, then he shall

order the license or certificate permanently revoked. If the holder does appear in person or by attorney and satisfies the bureau head conducting the hearing that the license or certificate should not be permanently revoked, then he shall immediately reinstate it.

1963, c. 354, § 1.

§ 237. Operation of boats

The following provisions apply to all specified watercraft and other specified devices operated upon any of the waters within the jurisdiction of this State.

1. Reckless operation prohibited. It is unlawful for any person to operate any watercraft, water skis, surfboard or similar device recklessly.

2. Operating under influence prohibited. It is unlawful to operate any watercraft or to operate or manipulate any water skis, surfboard or similar device while intoxicated, or under the influence of narcotic drugs, barbiturates or marijuana.

3. Operating to endanger prohibited. It is unlawful for any person to operate any watercraft, water skis, surfboard or similar device so as to endanger any person or property.

4. Prudent speed required. It is unlawful to operate any watercraft within 200 feet of the shoreline, or in a water safety zone, except at a reasonable and prudent speed for the existing conditions.

5. Operation in bathing areas prohibited. It is unlawful to operate a motorboat within any bathing area marked or buoyed for bathing.

6. Age restriction for operation. It is unlawful for any person under 12 years of age to operate any motorboat propelled by machinery of more than 10 horsepower unless he is under the immediate supervision of a person located in the motorboat who is at least 16 years of age.

1963, c. 354, § 1.

§ 238. Operation on inland waters

The following provisions apply only to the inland waters of this State:

1. Equipment. All motorboats requiring numbering under this subchapter, while in operation on the inland waters, shall comply with the same requirements pertaining to life preservers, lights, fire extinguishers and other equipment required by federal laws and regulations for legal operation on coastal waters.

A. All other watercraft not requiring numbering and in operation between the hours of sunset and sunrise must display a single illuminated white light, capable of showing all around the horizon, so as to make its presence known to all other watercraft in every direction which are within a reason-

able distance. Nothing shall prohibit the display of lights required by federal laws or regulations in lieu of the single white light.

2. Regattas, races, exhibitions. Whenever a regatta, race, boat or water ski exhibition is to be held on any of the inland waters of this State, the person or persons in charge of it shall request written permission from the bureau at least 15 days prior to the event.

A. The request must be in writing, set forth the date, time and location of the event.

B. It is unlawful to hold such an event without written permission from the bureau.

C. The person or organization obtaining the permission is responsible for providing reasonable protection as prescribed by the bureau from water traffic interference and hazards and must take reasonable precautions to safeguard persons and property.

D. During any authorized event, the officials conducting it shall conspicuously display one or more orange warning flags of a size not less than 4 feet by 4 feet while the event is in progress. It is unlawful for any watercraft other than the participants to cross or traverse the course or area of the authorized event when said warning flag is displayed, except in an emergency. The officials conducting the event shall remove the warning flag or flags for reasonable periods of time during the event to allow non-participating watercraft to pass through the area.

1963, c. 354, § 1.

§ 239. Accidents

The provisions of this section apply to all watercraft operated on any waters within the jurisdiction of this State.

1. Duty to render aid. It is the duty of every operator of any watercraft involved in a collision, accident or other casualty to render all necessary aid and assistance to all persons involved so far as he can do so without serious danger to his watercraft, crew and passengers, if any.

2. Operators involved in accident to identify themselves. The operator of any watercraft involved in an accident or collision shall give his name, address and identification of his watercraft to any person injured and to the owner of any property damaged.

3. Accident reports. The operator of any watercraft involved in any accident or casualty, which results in death, disappearance or injury to any person or damage to property to the estimated amount of \$50 or more, shall report the same by the quickest means possible to the nearest available inland fisheries and game warden, coastal warden, state police officer, or the sheriff of the county where the accident occurred.

All law enforcement officers shall forthwith report accidents to the bureau. The operator shall file a written accident report on forms provided by the bureau within 48 hours. He shall include his name and address and such other information as required by the bureau.

4. Transmittal of information. In accordance with any request duly made by an authorized official or agency of the United States, any information compiled or otherwise available to the bureau pursuant to this section shall be transmitted to said official or agency of the United States.

1963, c. 354, § 1.

§ 240. Restrictions on power boats; Portage Lake, Pennamaquan River and Quimby Pond

No person shall operate any boat or canoe propelled by motor on that portion of Portage Lake in Township T. 13, R. 6, W. E. L. S., County of Aroostook, known as the Floating Island Area, north and westerly of a line beginning at the eastern edge of the marshy peninsula running out from Hutchinson Ridge, running 50 yards outside of the floating islands in a northerly direction to the mouth of Mosquito Brook; and on that portion of Pennamaquan River in Pembroke, County of Washington, between the Little Falls Dam and the Iron Works Dam.

No person shall operate any boat or canoe propelled by motor on Quimby Pond in the Town of Rangeley, Franklin County.

R.S.1954, c. 37, § 67; 1961, cc. 27, 173.

§ 241. Jerry Pond

It shall be unlawful for any person, firm or corporation to use motors on watercraft, in and upon the waters of Jerry Pond, so called, situated within the boundaries, or having a shore line abutting, the incorporated municipality of Millinocket and the unincorporated townships being T. 1, R. 7 and T. A., R. 7, all in the County of Penobscot.

1961, c. 185.

WATERCRAFT REGULATIONS

The following regulations relating to the use and operation of watercraft in the State of Maine have been adopted by the Bureau of Watercraft Registration and Safety in accordance with the provisions of Title 38, Chapter 1, Subchapter VI, Sections 231 and 232 of the Revised Statutes.

NO. 1

Application for Certificate of Boat Number

The application for a Maine Certificate of Boat Number shall include the following:

1. Type of application (new, transfer, duplicate).
2. Name and permanent address of principal owner.

3. Owner's date of birth.
4. Citizenship of owner.
5. Name and address of person from whom boat was purchased.
6. Present number on boat, if any.
7. Make of boat.
8. Year boat was built.
9. Serial number of boat hull.
10. Length of boat.
11. Waters principally used (inland, coastal, both).
12. Hull material (wood, plastic, aluminum, steel, other).
13. Type of propulsion (outboard, inboard, other).
14. Fuel used (gasoline, diesel, other).
15. Principal use of watercraft (pleasure, rental, commercial fishing, commercial passenger, dealer and/or manufacturer, other).
16. Statement of ownership by applicant.
17. Signature of owner and/or co-owners.
18. Date of application.
19. Temporary Certificate of Boat Number which is good for a 45-day period when validated by Bureau of Watercraft Registration and Safety.

NO. 2

Information on Certificate of Boat Number

The Maine Certificate of Boat Number shall show the following information:

1. Name and address of owner.
2. Boat number issued.
3. Make of boat.
4. Length of boat.
5. Hull material (wood, plastic, aluminum, steel, other).
6. Owner's date of birth.
7. Principal use of watercraft.
8. Type of propulsion.
9. Serial number of hull.
10. Expiration date of certificate of number.

NO. 3

Numbering Requirements and Display of Number

The identification number issued pursuant to Section 233, Title 38, Revised Statutes shall:

1. Consist of the symbols ME in capital letters identifying the State of Maine followed by not more than four (4) arabic numerals followed by not more than two (2) capital letters. The group of numerals appearing between letters shall be separated from those letters by a hyphen or an equivalent space. Since the letters "I", "O", and "Q" may be mistaken for arabic numerals, they shall not be used in the suffix.

2. The boat number issued shall be displayed on each side of the bow (forward half) of the watercraft for which issued and shall read from left to right. It shall be in block character capital letters and

arabic numerals of good proportion not less than three (3) inches in height, and must be painted or permanently attached to the hull. The boat number shall be of a color which is in contrast to the color of the hull so as to provide the highest degree of visibility and maintained in a legible condition at all times.

3. A dealer's and/or manufacturer's number may be temporarily attached to the bow of any boat covered by his dealer's certificate of number.

4. No other number shall be carried or displayed on the bow of such watercraft.

NO. 4

Reporting of Boating Accidents

The operator of any watercraft involved in any accident or casualty which results in death, disappearance or injury to any person or damage to property to the estimated amount of \$50 or more shall file a written report to the Bureau of Watercraft Registration and Safety within 48 hours, in addition to reporting same by the quickest means possible to the nearest inland fisheries and game warden, coastal warden, state police officer, or sheriff where the accident occurred. All law enforcement officers shall forthwith report such accidents to the bureau.

Every written report of a boating accident shall contain the following information.

1. The numbers of and/or name of vessels involved.
2. Time, date, and locality of accident.
3. The name, address, age and boat operating experience of the operator of the reporting vessel.
4. The name and address of the vessel's owner.
5. The length, propulsion, horsepower, fuel and construction of the reporting vessel.
6. Weather and water conditions.
7. Operation of boat at time of accident.
8. Type, nature or classification of accident.
9. The nature and extent of injury to any person or persons.
10. A description of the accident.
11. The name and address of operators of other vessels or property involved.
12. The names and addresses of any person or persons injured or killed.
13. A description of damage to property and cost to repair.
14. Names and addresses of known witnesses.
15. Physical condition, dress and other data concerning the victim in drowning cases.
16. Life saving and fire fighting equipment.

NO. 5

Safety Equipment On Numbered Motorboats On Inland Waters

The owner or operator, either one or both of them, of any motorboat requiring or requesting numbering

and in operation on the inland waters of this State shall comply with these regulations. Nothing in these regulations shall be construed to permit the operation of watercraft propelled by machinery on the coastal waters of this State unless they conform to all federal laws and regulations.

Section I. Classification of Motorboats.

A. Motorboats subject to the provisions of this regulation shall be divided into four classes as follows:

Class A. Less than sixteen (16) feet in length.

Class 1. Sixteen (16) feet and less than twenty-six (26) feet in length.

Class 2. Twenty-six (26) feet and less than forty (40) feet in length.

Class 3. Forty (40) feet or over.

B. **LENGTH.** "Length" means the distance measured from end to end over the deck, excluding sheer. It is the straight line measurement of the overall length, stated in feet and inches, from the foremost part of the vessel to the aftermost part measured parallel to the centerline, excluding outboard motors, brackets, bowsprits, rudders and similar attachments.

C. **AFT.** "Aft" means the rear half of the watercraft, vessel or boat as contrasted to the bow which is the forward half of the boat.

D. **POINT.** "Point" means eleven and one-quarter degrees of arc.

Section II. Navigation Lights and Shapes.

A. Every motorboat in all weathers from sunset to sunrise shall carry and exhibit the following lights when underway, or at anchor while occupied by a person or persons, and during such time no other lights which may be mistaken for those prescribed shall be exhibited:

1. Motorboats of Classes A and 1:

First. A bright white light aft to show all around the horizon.

Second. A combined light in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam of their respective sides.

2. Motorboats of Classes 2 and 3:

First. A bright white light in the fore part of the vessel as near the stem as practicable, so constructed as to show an unbroken light over an arc of the horizon of twenty (20) points of the compass, so fixed as to throw the light ten (10) points on each side of the vessel; namely, from right ahead to two (2) points abaft the beam on either side.

Second. A bright white light aft to show all around the horizon and higher than the white light forward.

Third. On the starboard side a green light so constructed as to show an unbroken light over an arc of

the horizon of ten (10) points of the compass, so fixed as to throw the light from right ahead to two (2) points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten (10) points of the compass, so fixed as to throw the light from right ahead to two (2) points abaft the beam on the port side. The said side lights shall be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow.

3. Motorboats of Classes A and 1 when propelled by sail alone shall carry the combined light forward, but not the white light aft, prescribed by this section. Motorboats of Classes 2 and 3, when so propelled, shall carry the colored side lights, suitably screened, but not the white lights aft, prescribed by this section.

Motorboats of all classes, when so propelled, shall carry, ready at hand, a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

4. When propelled by sail and machinery any motorboat shall carry the lights required by this section for a motorboat propelled by machinery only.

5. Every white light prescribed by this section shall be of such character as to be visible at a distance of at least two (2) miles. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one (1) mile. The word "Visible" in this subsection, when applied to lights, shall mean visible on a dark night with clear atmosphere.

6. Any motorboat may carry and exhibit the lights required by the federal regulations for preventing collisions at sea, 1948, federal act of October 11, 1951, (33 USC 143-147d) as amended, in lieu of the lights required by this section.

7. Any anchored motorboat, while occupied by a person or persons, may display in lieu of the above navigation lights, a single white light showing all around the horizon (32 points).

Section III. Life Saving Devices.

A. Every motorboat shall carry at least one Coast Guard approved life saving device, clearly labeled or imprinted as such, maintained in good and serviceable condition, for each person on board, and so placed as to be readily accessible. After January 1, 1965, all kapok and fibrous glass flotation material used in life saving devices must be encased in heat-sealed plastic bags. Motorboats shall be equipped as follows:

1. Classes A, 1 and 2 motorboats, not carrying passengers for hire, shall carry either an approved life preserver, buoyant vest, ring life buoy, special purpose water safety buoyant device, or buoyant cushion for each person on board.

2. Class 3 motorboats, not carrying passengers for hire, shall carry an approved life preserver or ring life buoy only for each person on board.

3. Any motorboat which carries passengers for hire shall carry an approved adult type life preserver only for each person on board. In addition, unless the service is such that children are never carried, there shall be provided a number of approved life preservers suitable for children equal to at least 10 per cent of the total number of persons carried.

Section IV. Fire Extinguishers.

Every motorboat shall be provided with such number, size, and type of fire extinguishers approved by the United States Coast Guard, as set forth below, which are capable of promptly and effectually extinguishing burning gasoline. Said extinguishers shall be kept in condition for immediate use and so placed as to be readily accessible at all times. The provisions of this section shall not apply to motorboats propelled by outboard motors while competing in any authorized race or such use as is incidental to tuning up of such boats and motors for the race.

Minimum Number of B-1 Hand Portable Fire Extinguishers Required*

Class of Motorboat	No Fixed Fire Extinguishing System in Machinery Spaces	Fixed Fire Extinguishing System in Machinery Spaces
A	1	0
1	1	0
2	2	1
3	3	2

*One B-2 hand portable fire extinguisher may substitute for two B-1 hand portable fire extinguishers.

Fire Extinguisher Classification

Classification Type - Size	Foam (Gallons)	Carbon Dioxide (Pounds)	Dry Chemicals (Pounds)
B-1	1¼	4	2
B-2	2½	15	10

Motorboats of Classes A and 1 which are propelled by outboard motors but are not carrying passengers for hire need not carry such fire extinguishers if the construction of such motorboats will not permit the entrapment of explosive or flammable gases or vapors. The intent of this exemption is illustrated in Figure 1 where fire extinguishers are required if any one or more of the specified conditions exist, and in Figure 2 where specified conditions do not, in themselves, require that fire extinguishers be carried.



Figure 1

Fire extinguishers are required if any one or more of the following conditions exist (numbers identifying conditions are the same as those placed in Figure 1):

1. Closed compartment under thwarts and seats wherein portable fuel tanks may be stored.
2. Double bottoms not sealed to the hull or which are not completely filled with flotation material.
3. Closed living spaces.
4. Closed stowage compartments in which combustible or flammable materials are stowed.
5. Permanently installed fuel tanks.

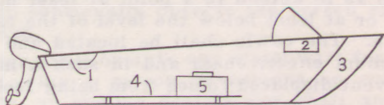


Figure 2

The following conditions do not, in themselves, require that fire extinguishers be carried (numbers identifying conditions are the same as those placed in Figure 2):

1. Bait wells.
2. Glove compartments.
3. Buoyant flotation material.
4. Open slatted flooring.
5. Ice chests.

Section V. Sound Devices.

Every motorboat shall be provided with an efficient whistle and/or other sound producing device as set forth in the table below. Motorboats propelled by outboard motors while competing in authorized races or use as is incidental to tuning up of such boats for a race need not comply with these requirements.

Class of Motorboat	Type of Device*
A	None.
1	Mouth, hand, or power operated horn, whistle, or other mechanical sound producing device, capable of producing a blast of 2 seconds or more duration, and audible for at least one-half mile.
2	Hand or power operated horn or whistle, capable of producing a blast of 2 seconds or more duration, and audible for at least one mile; and in addition an efficient bell to produce a clear note.
3	Power operated horn or whistle, capable of producing a blast of 2 seconds or more duration, and audible for a distance of one mile; and in addition an efficient bell to produce a clear note.

*Except on emergency or enforcement motorboats, no sirens shall be used.

Section VI. Ventilation.

All motorboats, except open boats, the construction or decking over of which is commenced after April 25, 1940, and which use fuel having a flashpoint of 110° F. or less, shall have at least 2 ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from being recirculated.

As used in this section, the term "open boats" means those motorboats with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

Where alterations are needed for existing motorboats to comply with the requirements in this section, such alterations shall be accomplished as soon as practicable but in any case shall be completed by June 1, 1966.

Section VII. Back Fire Flame Control.

All gasoline engines installed in a motorboat, except outboard motors, shall be equipped with a device or other acceptable means or attachment as approved by the U. S. Coast Guard to efficiently and safely arrest engine backfire.

NO. 6

Water Skiing

No person shall operate a watercraft on the inland waters of this State for the purpose of towing a person or persons on water skis, surfboards, aquaplanes or similar devices in a water safety zone as defined in Section 201, Title 38, nor shall any person manipulate any watercraft, tow rope or other device by which the direction or location of water skis, surfboards, aquaplanes or similar devices may be affected or controlled in such a way so as to cause said devices, or any person thereon to approach within said water safety zone. Nothing herein shall preclude the necessary launching, or leaving the shoreline, mooring or landing of said boats and persons engaged in water-skiing, surfboarding, or using such similar devices provided they enter or leave the shoreline in a reasonably direct manner and so as not to endanger any persons or property and provided they do not enter or leave directly into or from another adjoining water safety zone. The Bureau may, upon written

application from the majority of the municipal officers of a municipality wherein said waters are located, waive these provisions along undeveloped shorelines, if after inspection of the site by the Bureau, it is determined that such a waiver would provide a greater safety factor than would be achieved by compliance with these provisions.

No person shall operate any watercraft on any waters of this State towing a person or persons on water skis, surfboards or other similar devices unless there is in such watercraft a person at least 12 years of age, in addition to the operator, who is in a position to continually observe the person or persons being towed.

No person shall operate any watercraft for the purpose of towing a person or persons on water skis, surfboards, or similar devices nor shall any person water ski, surfboard, or use similar devices on any waters of this State between the hours of $\frac{1}{2}$ hour after sunset until $\frac{1}{2}$ hour before sunrise.

No person shall operate any watercraft on any waters of this State for towing a person or persons on water skis, a surfboard, or similar device, nor shall any person ride on water skis, surfboards, or similar devices unless the person being towed has on his person a life jacket, life belt, or similar life saving device, except that performers engaged in exhibitions or tournaments authorized by the Bureau of Watercraft Registration and Safety do not need comply with this requirement.

NO. 7

Operation Rules Between Watercraft On Inland Waters

In order to prevent the collision of watercraft the following rules apply to the operation of all watercraft in relation to each other on the inland waters of this State:

1. When watercraft are approaching each other head on, or nearly so, each watercraft shall direct their courses to the right and pass on the port side of each other and at a distance and speed so that the wake of each will not endanger the other.

2. When a watercraft desires to pass another watercraft on either side in the same direction, the overtaking watercraft shall keep clear of the overtaken watercraft and shall not pass until it is safe to do so, and then at such speed and distance so as not to endanger the overtaken watercraft. The overtaken watercraft has the right of way until the overtaking watercraft has safely passed.

3. When watercraft approach each other at right angles or obliquely, the watercraft approaching on the right (starboard) side has the right of way and the other watercraft which has such watercraft on its right side shall keep out of the way of the other by directing her course to starboard so as to cross the

stern of the other watercraft, or stop and reverse if necessary to avoid collision.

4. Watercraft under sail alone or being propelled by oars or paddles have the right of way over watercraft propelled by machinery, except when overtaking as described in No. 2.

5. In narrow channels, streams, thoroughfares, every watercraft shall keep to the right of the middle of the channel in the direction which it is traveling when it is safe and practicable to do so.

6. It shall be the duty of every operator to abide by these rules. However, where immediate danger exists the operator shall, if necessary, depart from these rules to the extent necessary to avoid collision.

NO. 8

Certain Racing Craft Exempt From Display of Number

Undocumented motorboats used exclusively for racing purposes which display on their hulls in a prominent manner a valid boat number issued by a recognized racing association are not required to display any other boat number on their hulls as issued by the Bureau in accordance with the provisions of Sections 233 and/or 234 of Title 38 Revised Statutes but must comply with all other requirements of said sections.

NO. 9

Defining Horsepower Requirements

In order to determine the horsepower of machinery used to propel motorboats for the purpose of obtaining or requiring a certificate of number in compliance with the provisions of Sections 233 and/or 234 of Title 38, Revised Statutes, the following definition shall apply:

Horsepower. "Horsepower" means the manufacturer's rated horsepower of the machinery and shall include the aggregate of all propellant machinery on a watercraft.

NO. 10

Expiration Period of Temporary Certificate of Boat Number

Item 19 of Regulation No. 1 entitled "Application for Certificate of Boat Number", adopted by the Bureau of Watercraft Registration and Safety on January 16, 1964, is hereby amended by repealing Item 19, and replacing it with the following so as to extend the expiration period of a temporary certificate of boat number from 15 days to 45 days:

19. Temporary Certificate of Boat Number which is good for a 45 day period when validated by Bureau of Watercraft Registration and Safety.

NO. 11

Defining Sunset and Sunrise

In order to determine the time of sunset and sunrise as referred to in Title 38, Chapter 1, Subchapter

VI, Revised Statutes and any regulations promulgated thereunder the following definition shall apply:

Sunset and sunrise is that time given for sunset or sunrise in the Maine Farmer's Almanac for the particular day involved converted to the legal standard of time in force in this State on that day.

NO. 12

General Regulatory Definitions

The definitions contained in Title 38, Maine Revised Statutes annotated, Section 201, although not set forth herein, shall be a part of all regulations and apply to those words or phrases when used therein.

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OTHER MAINE LAWS OF INTEREST TO BOATMEN

R. S., T. 12, Sec. 2461. POWER BOATS IN MERRY-MEETING BAY.

No power boat may be operated in Merrymeeting Bay at a speed in excess of 10 miles per hour except within the confines of the buoyed channels.

R. S., T. 17, Sec. 2251. DUMPING OF LITTER.

No person shall put or place, cause to be put or placed, deposit or throw upon any square, lane, alley, public bathing place, public park, or the approaches thereto, or any other place, or into any inland or tidal waters, or on the ice over such waters, or on the banks adjacent thereto any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, old automobiles or parts thereof, or similar refuse, except in proper containers placed for rubbish or garbage collection or removal or except in a public dump. Any person who violates this section shall be punished by a fine of not more than \$100. Nothing contained in this section shall be construed as affecting authorized collections of such articles as garbage or refuse, nor shall anything be construed to prevent the proper use of the rights-of-way for highway purposes. If the throwing, placing or depositing was done from a motor vehicle, it shall be prima facie evidence that the throwing, placing or depositing was done by the driver of such motor vehicle.

Every law enforcement officer in the State, including wardens of the Department of Inland Fisheries and Game, wardens of the Department of Sea and Shore Fisheries, foresters and wardens of the Forestry Department and liquor inspectors of the State Liquor Commission shall have authority to enforce this section.

R. S., T. 17, Sec. 2497. MOORING WATERCRAFT TO BUOYS.

Whoever moors a vessel, boat, scow or raft to any buoy or beacon, placed by the United States or this State in any of the navigable waters of this State,

or in any manner makes the same fast thereto, forfeits \$50; and whoever willfully destroys any such buoy or beacon shall forfeit \$100 and be imprisoned for 3 months. Said forfeitures may be recovered by complaint or civil action, $\frac{1}{2}$ to the plaintiff or informer and $\frac{1}{2}$ to the county in which the trial is had.

R. S., T. 17, Sec. 2498, 2499. TAKING, INJURING OR CUTTING LOOSE BOATS.

Whoever willfully or maliciously, without consent of the owner, takes or uses any boat, cuts away, lets loose, injures or destroys any boom, raft or logs or other lumber, or any vessel, gondola, scow or other boat, fastened to any place, of which he is not the owner or legal possessor, shall be punished by a fine of not more than \$500 and by imprisonment for less than one year; and shall be liable to the person injured in a civil action for double the damages by him sustained.

R. S., T. 17, Sec. 2798. MUFFLERS REQUIRED ON MOTORBOATS.

All motorboats run or operated in any tidal or other waters within the State shall be provided or equipped with proper and suitable mufflers or other devices which shall effectually deaden sound. Said muffler shall be used all the time the engine of the motorboat is in operation; provided that it shall be allowable to cut out said mufflers, in case of boats while entered and competing in boat races held under the auspices of some regularly organized club, between the hours of 8 o'clock in the morning and sunset following.

Any muffling device approved by the United States inspectors having jurisdiction of the tidal waters of this State shall, in case of motorboats run or operated on such tidal or other waters in the State, be deemed to be a compliance with the provisions of this section, provided such defense shall be set up and proved by the defendant.

Whoever violates any provision of this section between 8 o'clock in the forenoon and 8 o'clock at night shall be punished by a fine of not less than \$5 nor more than \$25; whoever violates any provision of this section between 8 o'clock in the afternoon and 8 o'clock in the forenoon shall be subject to a double penalty; and any such violation shall be deemed a common nuisance within the meaning of section 2706.

Enforced by Inland Fish and Game Wardens (Title 12, Sec. 2001).

R. S., T. 35, Sec. 1944. PUBLIC UTILITIES-STEAM & INBOARD MOTORBOATS FOR HIRE FOR TRANSPORTATION OF PASSENGERS OR FREIGHT ON INLAND WATERS.

Every steamboat navigated upon inland waters and every motorboat (other than outboard motorboats) used for hire for the transportation of passengers or freight upon inland waters, before being so employed,

shall be inspected and obtain from the commission a certificate authorizing its use subject to the following provisions: The owner or operator of any such vessel shall make application to the commission for registration, subject to such reasonable rules and regulations as the commission may make, which registration, if granted, shall terminate on the last day of the calendar year in which it is issued. A vessel kept for use or rental either by itself, or in connection with a camp, cottage or real estate, or used in connection with any school or camp to which boys or girls are admitted for compensation, or utilized by any officer, agent or employee of such camp or school for the transportation of any such boys or girls, shall be considered as kept for hire and shall be subject to the provisions of this chapter.

P. & S. LAW. CHAP. 44, 1963. ANCHORED BOATS PROHIBITED EARLEY SALMON POOL.

The use of anchored boats during the legal fishing season is prohibited in the Earley Salmon Pool in the Wilson River, Piscataquis County, from the head of the island to Earley's Falls.

R. S., T. 36, Sec. 2903-A. GASOLINE EXCISE TAX MONIES CREDITED TO BOATING FACILITIES FUND.

The Legislature hereby makes a finding of fact that the percentage relationship of "gasoline tax" paid by that segment of the nonhighway gasoline user, the motorboat user, is not less than 1.25% of the total "gasoline tax" revenue, but certainly is more than the 1.25% referred to. Based on this legislative "finding of fact" there is set aside 1.25% of the total excise tax on internal combustion engine fuel sold or used within the State, but not including internal combustion engine fuel sold for use in the propulsion of aircraft. From this 1.25% allocation shall be deducted the refunds paid out under section 2908 to purchasers and users of internal combustion engine fuel for commercial motorboats; 20% of the balance of 1.25% after paying out such refunds shall be paid to the Treasurer of State to be made available to the Commissioner of Sea and Shore Fisheries for the purpose of conducting research, development and propagation activities by the department, and it is the responsibility of the Commissioner of Sea and Shore Fisheries to select activities and projects that will be most beneficial to the commercial fisheries of the State as well as the development of sports fisheries activities in the State; the remaining 80% of the balance of 1.25% after paying out such refunds shall be credited to the Boating Facilities Fund, established under Title 38, section 322, within the Maine State Park and Recreation Commission. The State Tax Assessor shall certify to the State Controller, on or before the 15th day of each month, the amounts to be credited under the previous sentence, as of the close of the State Controller's records for the previous month.

**R. S., T. 38, Subchapter VIII. PUBLIC FACILITIES
FOR BOATS.**

**§ 321. Director of Maine State Park and Recreation
Commission; duties**

The Director of the Maine State Park and Recreation Commission, with the advice of the Maine State Park and Recreation Commission, shall acquire, construct and maintain, within the funds available, public facilities for boats in the waters of the State, including but not limited to launching ramps, parking sites and access roads. Waters of the State means any waters within the territorial limits of the State, and the marginal sea adjacent to the State.

The Director of the Maine State Park and Recreation Commission shall decide where the facilities shall be located and which facilities shall be constructed by the Highway Department.

1963, c. 367, § 1.

§ 322. Boating Facilities Fund

There is created within the Maine State Park and Recreation Commission a Boating Facilities Fund.

This fund, as funded under Title 36, section 2903-A, shall be available to the Director of the Maine State Park and Recreation Commission in carrying out its duties. These funds shall constitute a continuous carrying account.

§ 323. Fees

The Director of the Maine State Park and Recreation Commission may charge reasonable fees for the services provided by this subchapter. Such fees shall be used to supervise the facilities constructed. The Director of the Maine State Park and Recreation Commission may set aside no more than 10% of said fees per year as a reserve fund for repairs and maintenance of the facilities and for marking the waters where in its opinion a hazard to boating exists.

The Director of the Maine State Park and Recreation Commission may make rules for the uniform marking of the water areas of this State through the placement of aids to navigation and regulatory markers. No city, county or person shall mark the waters of this State in any manner in conflict with the marking system prescribed by the Director of the Maine State Park and Recreation Commission. The marking of waters contrary to the rules adopted by the Director of the Maine State Park and Recreation Commission shall constitute a misdemeanor.

§ 324. Leases

The Director of the Maine State Park and Recreation Commission may lease, on such conditions as he deems necessary, for a period not exceeding 30 years, parking lots and nearby sites for the purpose of having, constructing and maintaining by the lessees restaurants, gift shops, marinas and the like. The income from such leases shall be credited to the Boating Facilities Fund.

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